In the High Court of Punjab & Haryana at Chandigarh

R. F. A. No. 29 of 2006 (O&M)

State of Haryana and another .... Appellants

vs

Raj Rani Gupta and another ..... Respondents

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: Mr. Lokesh Sinhal, Additional Advocate General, Haryana.
Mr. Raman Gaur, Advocate, for HUDA.

Rajesh Bindal J.

Through the present appeal the State has approached this court for reduction in compensation for the acquisition of land.

Briefly, the facts of the case are that the State of Haryana vide notification dated 12.5.1995 issued under Section 4 of the Land Acquisition Act, 1894 (for short, "the Act"), acquired land forming part of Hadbast No. 38, in revenue estate of Bahadurgarh, District Jhajjar, for development and utilisation as residential and commercial area in Sector-9 and 9-A, Bahadurgarh. The Land Acquisition Collector assessed the market value of the land at Rs. 6 lacs per acre for the land situated on Bahadurgarh-Delhi road upto the depth of 3 acres, Rs. 4 lacs per acre for the land situated on Bahadurgarh-Najafgarh road upto the depth of 3 acres, Rs. 2.50 lacs per acre for nehri and chahi and Rs. 2 lacs per acre for barani and other kinds of land. The landowners/claimants feeling dissatisfied with the quantum of compensation awarded by the Collector, filed objections. On reference under Section 18 of the Act, the learned court below determined the market value of the acquired land by granting increase of Rs. 50,000/- per acre in each category. It is this award of the learned Reference Court which is impugned in the present appeal.

Learned counsel for the State very fairly conceded that the issue involved in the present appeal is squarely covered by the judgment of this court in R. F. A. No. 1 of 2006 *State of Haryana and another* vs *Jagbir Singh and others,* decided on 10.2.2009, whereby the compensation payable to the landowners has been further enhanced.

Since this court has further enhanced the compensation payable to the landowners, the present appeal for reduction in compensation does not survive. Accordingly, for the reasons recorded in *Jagbir Singh's* case, the present appeal is dismissed.

13.2.2009 **(Rajesh Bindal)**
vs. **Judge**